

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 43 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-1.1-10-44 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JANUARY 1, 2008 (RETROACTIVE)]: **Sec. 44. (a) As**
- 6 **used in this section, "wetlands" means transitional lands between**
- 7 **terrestrial and aquatic systems where the water table is at or near**
- 8 **the surface or the land is covered by shallow water. The term does**
- 9 **not include public waters wetlands or income producing wetlands.**
- 10 **(b) Wetlands are exempt from property taxation if the wetlands:**
- 11 **(1) have a predominance of hydric soil;**
- 12 **(2) are inundated or saturated by surface or ground water at**
- 13 **a frequency and duration sufficient to support a prevalence of**
- 14 **hydrophytic vegetation typically adapted for life in saturated**
- 15 **soil conditions; and**
- 16 **(3) under normal circumstances support vegetation described**
- 17 **in subdivision (2).**
- 18 **(c) The exemption of wetlands from property taxation under**
- 19 **this section does not:**
- 20 **(1) grant the public any additional or greater right of access**
- 21 **to any wetlands; and**
- 22 **(2) diminish any right of ownership to any wetlands."**
- 23 Page 7, between lines 3 and 4, begin a new paragraph and insert:
- 24 "SECTION 8. [EFFECTIVE JANUARY 1, 2008

- 1 (RETROACTIVE)] **IC 6-1.1-10-44, as added by this act, applies to**
- 2 **property taxes first due and payable after December 31, 2008."**
- 3 Renumber all SECTIONS consecutively.  
(Reference is to ESB 43 as printed February 22, 2008.)

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Representative Brown C